

Notice of Allowability

Application No.

10/729,197

Examiner

Derek L Dupuis

Applicant(s)

TWERDOCHLIB, MICHAEL

Art Unit

2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 12/27/2004.
2. ☒ The allowed claim(s) is/are 1-15 and 17-20.
3. ☒ The drawings filed on 27 December 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Brian Healy
Primary Examiner

DETAILED ACTION

Drawings

1. The drawings were received on 12/27/2004. These drawings are accepted by the examiner.

Response to Amendment

2. The affidavit under 37 CFR 1.132 filed 12/27/2004 is sufficient to overcome the rejection under 35 U.S.C. 103 of claims 1-20 based upon the statement from Maurice Jenkins (first named inventor of reference US 5,684,718) that the reference does not teach the limitation that the optical signal is converted into an electrical signal inside of the generator.

Response to Arguments

3. Applicant's arguments filed 12/27/2004, with respect to claims 1-20 have been fully considered and are persuasive. After closer inspection of the references, the examiner has concluded that neither Miller, Jenkins, nor Gabrys teach that the optical signals is converted into an electrical signal inside of the generator. Furthermore, one of ordinary skill in the art at the time of invention would conclude that the conversion occurs outside of the generator. Therefore, the rejection under 35 U.S.C. 103 of claims 1-20 has been withdrawn.

Allowable Subject Matter

4. Claim 1-15 and 17-20 are allowed.
5. The following is an examiner's statement of reasons for allowance:
6. Claims 1-15 and 17-20 are allowable over the prior art of record because the latter, either alone or in combination, does not disclose nor render obvious converting an

Art Unit: 2883

optical signal into an electrical signal along a wire inside of a generator and having the wire hermitically span a seal in the generator to an area outside of the generator in combination with the rest of the claimed limitations.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. ***Curry (US 4,872,348)*** teaches a vibration transducer that measures a vibration and that transmits a vibration magnitude signal along an optical fiber. Curry teaches that the signal is converted into an electrical signal along a wire. While Curry suggests that this device may be used to measure the vibration of a generator, Curry does not teach that the device can be located inside of the generator. ***Jenkins et al (5,684,718)*** teach that a vibration sensor can be placed inside of a generator. Neither of these references alone or in combination teach that the electrical wire can be passed outside of the generator by a hermetic seal. ***Gabrys et al (US 6,624,542 B1)*** teach an electric wire passing through a hermetic seal of a flywheel. After further examination of this reference, the examiner has concluded that the reference is non-analogous art with respect to the references of Curry, Jenkins et al, and Miller and that there is not a motivation to combine the references.

Art Unit: 2883

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derek L Dupuis whose telephone number is (571) 272-3101. The examiner can normally be reached on Monday - Friday 8:30am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Derek L. Dupuis
Examiner
Group Art Unit 2883



Brian Healy
Primary Examiner